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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JAIN et al.

Serial No.: 09/337,675

Filed: June 22, 1999

For: CONTROLLED RELEASE NANO-  
PARTICULATE COMPOSITIONS



Group Art Unit: 1615

Examiner: A. Pulliam

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(RE)

Bet  
9-17-01

Commissioner for Patents  
Washington, D.C. 20231

Sir:

AMENDMENT UNDER 37 C.F.R. 1.116

This Amendment is filed in response to the Office Action dated April 10, 2001, a response to which is due by October 10, 2001, by virtue of the accompanying Petition for Three Months Extension of Time.

Please amend this application as follows.

IN THE CLAIMS:

In accordance with 37 C.F.R. § 1.121, please cancel claims 23-24, without prejudice or disclaimer thereof, and substitute for claims 1, 2, 9, 13, 15, 16, 18, 19, 21, 30, 31, 34, and 35 the following rewritten versions of the same claims, as amended. The changes are shown explicitly in the attached "Version with Markings to Show Changes Made."

*Sub A* → 1. (Amended) A controlled release nanoparticulate composition comprising:  
(a) a poorly soluble nanoparticulate drug to be administered having an effective average particle size of less than about 1000 nm, wherein at least 50% of the drug